



## Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact [support@jstor.org](mailto:support@jstor.org).

## BOOK REVIEWS.

---

"THE PEOPLES LAW." By Charles Sumner Lobingier. The MacMillan Company, 1909.

The proposal of Mr. Balfour, the leader of the conservative party in Great Britain, to submit to a popular referendum the question of tariff reform, has aroused, as never before, the interest of the thinking classes in England in the practicability and advisability of legislation by a direct vote of the general electorate. It would seem from the tone of the leading articles in the magazines and from the result of the recent election that advocates of the referendum will have much missionary work to do before the British public will be convinced that the system is not totally destructive of representative government; that throwing the final responsibility for important measures upon the electorate will not sap the vitality of the House of Commons and impair the prestige of its membership.

Those who would engage in or follow this controversy will find in Judge Lobingier's work on popular participation in law-making a fund of historical information that will greatly aid an intelligent discussion of the problem. Much, of course, has been written upon the system of initiative and referendum,—the subject has a perennial attraction for publicists. Judge Lobingier's most valuable contribution to the discussion is an exhaustive study of the origin and history of the American practice of submitting constitutions and constitutional amendments to a popular vote, a practice that kept alive the principle of communal participation in law-making and prepared the way for the employment of similar methods in the enactment of ordinary laws.

A full appreciation of the author's industry and learning need not, however, commit us to an endorsement of his admiration for the result of this constitution building. "In substance and contents," he says (page 348), "the American constitutions are certainly the peers of any others, while in practical operation they have no rivals." Is this complacency justified? Those who see the wheels of progress bogged in the quagmire of constitutional law will utter a despairful no! We have loaded those instruments with grotesque details and have so hampered parliamentary activity that we have fashioned the judiciary into a body of "elder statesmen" with a practical veto on all legislation. Worse, we have done the very thing that English Liberal and Radical statesmen fear today, deteriorated the personnel of our legislatures by depriving them of responsibility. The referendum may be, if not the solution of, at least an indication of our difficulties—democracy's kick to start the stalled engine of its own creation. But whether a community free from these entanglements would do well to follow in our footsteps is a question that seems to merit but one answer.

W. H. L.

---

"BLACK'S LAW DICTIONARY." By Henry Campbell Black. St. Paul, West Publishing Co., 1910.

The second edition of this well-known work is a marked improvement upon the first edition of 1891. The author has preserved the arrangement of the prior edition; but has greatly enhanced the utility of the work by the typographical form of the present issue. The word defined is printed in black font type, thus enabling a desired word to be readily located. The